

Agenda Item No. 4-1.c  
For Agenda of Aug. 28, 2007

## TIGARD CITY COUNCIL/LOCAL CONTRACT REVIEW BOARD

### Meeting Minutes

June 26, 2007

Mayor Dirksen called the meeting to order at 6:30 p.m.

#### Attendance:

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

#### ● STUDY SESSION

##### › Discuss Building Valuation Data Table – Community Development Department

Building Official Blalock presented the background on this agenda item. Building Official Blalock's June 8, 2007 memorandum outlined the new legislation and provided information on how the Building Valuation Data Table is used. A copy is on file in the City Recorder's office. There was discussion regarding how this table is applied to the City of Tigard rates. Community Development Director Coffee advised that the Homebuilders' Association is aware of this matter. A resolution for the Council's consideration is on tonight's Consent Agenda (Item 3.3).

##### › Distribute City Council Groundrules – Administration Department

City Council received a copy of the most recent groundrules (Resolution No. 06-51). Councilor Buehner noted one change to be made on Page 5: Assistant to the City Manager should be changed to read "Assistant City Manager." City Council will review the groundrules and discuss again at a future meeting to determine if additional changes are needed.

- › Discuss Amending Tigard Municipal Code regarding Chief Petitioner Requirement – Administration Department

City Council reviewed the staff report prepared for this item; a copy is on file in the City Recorder's office. Examples of what other cities have done to place requirements on chief petitioners were reviewed. A summary of the City Council discussion follows:

- Some Council support expressed that Chief Petitioners should be at least City residents since such petitioners are proposing to “change the fabric of the city.”
- Some Council support expressed to be more restrictive and require Chief Petitioners to be electors (registered voters) of the City of Tigard.
- Councilor Wilson pointed out that people who don't live in the City of Tigard, i.e., business owners, do have a stake in laws that are made that govern them. Mayor Dirksen offered that city business owners could be included as he agreed they do have an interest in the City. Councilor Wilson said that ultimately it would be city electors who vote yes or no on a proposal. Councilor Buehner referred to outside interests in statewide petition efforts who come to Oregon to sponsor petitions that cost taxpayer dollars to place these measures on the ballot. For petitions filed for elections other than the primary or general election of even-numbered years, the City must pay for the election. Councilor Wilson acknowledged there was merit to the argument for placing restrictions on Chief Petitioners because of the financial impact.
- Council discussed the possibility of allowing Chief Petitioners who are Tigard business owners, but are not residents or electors of the city. City Attorney Ramis cautioned that he has not seen any case law that would allow such a distinction. Councilor Buehner acknowledged this could be too complicated to implement. One suggestion was to include residents and property owners. After some discussion, City Attorney Ramis noted that the concern is “if we are just doing registered voters...I think we probably can. Once we create a situation where people who live outside the City but own property can participate but someone who lives inside the City can't participate, we open up an argument.”
- Councilor Sherwood noted the only people who can vote on measures on ballots by petitioner will be the city's electors. She said she would prefer to see the Chief Petitioners limited to “electors.” Mayor Dirksen said someone who was not an elector could find a sympathetic city elector to sponsor a measure. Councilor Wilson said he could support this because of the cost of the election borne by the City of Tigard. Council consensus was to support a proposed ordinance providing that Chief Petitioners shall be city electors.
- Council decided it would like to conduct a public hearing on the proposed amendment to the Tigard Municipal Code requiring that Chief Petitioners for an initiative, referendum or recall petition be City of Tigard electors.

- > Business Meeting Information distributed to and discussed with the City Council included the following:

#### Agenda

##### Item No.

- 3.2 Proposed Resolution Amending Resolution No. 02-62 Establishing the Guidelines for the Award of Affordable Housing Fee Assistance Funds (A copy of the resolution was forwarded to the City Council in its June 22, 2007 newsletter mail packet.)
- 9 Select an Election Date for the City Councilor Position and Reevaluate the Nomination Petition Filing Deadline. (Council received copies of the Agenda Item Summary and two resolutions representing options. Copies were forwarded to the City Council in its June 22, 2007 newsletter mail packet; copies are also attached.)

Councilor Woodruff suggested if there is only one candidate, the City Council could consider appointing that individual rather than holding an election. This matter was also discussed during the Business meeting, Agenda Item No. 9. Councilor Wilson said he would excuse himself from the discussions since the Council position under review is the position he holds.

- 11.1 (Non Agenda) – 4<sup>th</sup> of July Funding Request, FY 2006/07 (June 22, 2007 memorandum from Risk Manager Mills was distributed to the City Council. The Council also received a copy of the proposed Budget Amendment Resolution; this information was forwarded to the City Council in its June 22, 2007 newsletter mail packet.)
- 11.2 (Non Agenda) – Local Contract Review Board – Consider approving the purchase of five (5) Crown Victoria Police Interceptors through State of Oregon Contract #3196. City Manager Prosser advised there is no need for a Budget amendment. (The staff report was distributed to the City Council which also serves as the Local Contract Review Board.)

#### Administrative Items

- Determine if the City Council wants to continue to cablecast Workshop Council meetings. City Manager Prosser reviewed this item with the City Council. The additional cost is approximately \$450 per month. After brief discussion, City Council members agreed to continue to cablecast the Workshop Council meetings.

- Fort Moody Visit – July 26 & 27 – Interest and Cost. Community Development Director Coffee reviewed the list of invitees and the cost estimate for the trip to Port Moody. This information is on file in the City Recorder's office. Beaverton residents and officials might also want to go on this trip, which will mean some of the costs can be shared with them. There was brief discussion about what some of the Council members want to focus on for this trip including how to deal with more density; how the Port Moody model might be received by City of Tigard citizens; long-term considerations that might include redevelopment of Highway 99W; models retail and residential developments existing together. Staff will contact developers to determine their interest in going on this visit.

Council reviewed its calendar. City Council members agreed to cancel the July 31 Fifth Tuesday meeting.

- Council Calendar:

#### July

4	Wednesday	4 <sup>th</sup> of July Holiday – City Hall Closed
*10	Tuesday	Tigard City Council Business Meeting – 6:30 pm, City Hall
*17	Tuesday	Tigard City Council Workshop Meeting – 6:30 pm, City Hall
*24	Tuesday	Tigard City Council Business Meeting – 6:30 pm, City Hall
31	Tuesday	5 <sup>th</sup> Tuesday Council Meeting – Library Community Room, 7-9 p.m. (Cancelled)

\*Regular Council meetings.

EXECUTIVE SESSION: The Tigard City Council went into Executive Session at 7:21 p.m. under 192660 (2) (e) to discuss real property transaction negotiations.

Executive Session concluded at 7:23 p.m.

#### 1. BUSINESS MEETING

- 1.1 Mayor Dirksen called the City Council & Local Contract Review Board to order at 7:32 p.m.
- 1.2 Roll Call

<u>Name</u>	<u>Present</u>	<u>Absent</u>
Mayor Dirksen	✓	
Councilor Buehner	✓	
Councilor Sherwood	✓	
Councilor Wilson	✓	
Councilor Woodruff	✓	

- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None
- 1.5 Call to Council and Staff for Non-Agenda Items

City Manager Prosser noted the following items would be considered by the City Council/Local Contract Review Board during Item No. 11, Non Agenda:

- 11.1 Consider 4<sup>th</sup> of July Funding Request FY 2006/07
- 11.2 Local Contract Review Board – Consider approving the purchase of five (5) Crown Victoria Police Interceptors through State of Oregon Contract #3196.

## 2. CITIZEN COMMUNICATION

- ♦ Tigard Area Chamber of Commerce President Ralph Hughes presented an update on Chamber activities. He noted this was his last presentation to the City Council as the Chamber President. Chamber elections were held recently for the new board of directors for the coming year; a formal announcement will be made soon. The last leadership institute recently held a graduation ceremony. The Chamber is now actively recruiting for the next institute classes scheduled for the fall. In response to a question from Councilor Woodruff, President Hughes said there is no timeline established for a proposed merger of the Tigard and Tualatin Chamber of Commerce organizations. Some issues need to be resolved, with President Hughes noting that the Tigard Chamber building would not be part of the merger equation.
- ♦ Council Candidate Roger Potthoff advised he would like to speak on two items on tonight's business agenda: 1) I-5 corridor and 2) City Councilor special election. After brief discussion, Mayor Dirksen said Mr. Potthoff could speak on these issues at the time these agenda items are considered by the City Council.
- ♦ John Frewing referred to the Council goal for better communication. He said he has been following the Ash Creek Estates development for a long time and he has raised a number of issues for which he has not had a response from the City. He has been observing the development to determine if the conditions of approval are being met. He noted he sent a June 6 e-mail to the City regarding the following conditions that he does not believe are being met: The steep dip in the street ("K" value) was allowed even though it exceeds the City's standards with the condition that there be warning signs posted; he said there are no signs. He also referred to a June 13 e-mail where he cited sight-distance issues at 74<sup>th</sup> Avenue and the lack of a planter strip along 74<sup>th</sup> Avenue. He also forwarded pictures on June 13 showing there was no planter strip. Mayor Dirksen advised

Mr. Frewing his e-mails had been received and staff was directed to review and respond to the issues raised. Mr. Frewing will be hearing from staff.

Mayor Dirksen reviewed the Consent Agenda:

3. CONSENT AGENDA:

3.1 Approve Council Meeting Minutes for April 24, 2007

3.2 Amend Affordable Housing Assistance Fee - Resolution No. 07-37

A RESOLUTION AMENDING RESOLUTION NO. 02-62  
ESTABLISHING THE GUIDELINES FOR THE AWARD OF  
AFFORDABLE HOUSING FEE ASSISTANCE FUNDS

3.3 Approve Resolution to Modify Existing Fee Calculation for Building Permits –  
Resolution No. 07-38

A RESOLUTION MODIFYING EXISTING FEE CALCULATION FOR  
BUILDING PERMITS

3.4 Appoint Karen Levear to the Tigard Library Board – Resolution No. 07-39

A RESOLUTION MAKING THE FOLLOWING APPOINTMENT TO  
THE TIGARD PUBLIC LIBRARY BOARD: KAREN LEVEAR TO A  
FOUR-YEAR TERM BEGINNING JULY 1, 2007 THROUGH JUNE 30,  
2011

3.5 Adopt Collective Bargaining Agreement between the City of Tigard and the  
SEIU 503/OPEU Local 199 and Authorize the City Manager to Sign -  
Resolution No. 07 -40

A RESOLUTION ADOPTING A NEW COLLECTIVE BARGAINING  
AGREEMENT BETWEEN THE CITY OF TIGARD AND SEIU  
503/OPEU LOCAL D199 AND AUTHORIZING THE CITY MANAGER  
TO SIGN

3.6 Approve Cost of Living Adjustment for  
Management/Supervisory/Confidential Group Employees effective July 1,  
2007 and the Extension of Additional Health Plan Options - Resolution No.  
07-41

A RESOLUTION TO ADOPT A COST OF LIVING ADJUSTMENT FOR  
THE MANAGEMENT/SUPERVISORY/CONFIDENTIAL GROUP  
EMPLOYEES EFFECTIVE JULY 1, 2007, AND THE EXTENSION OF

ADDITIONAL HEALTH INSURANCE PLAN OPTIONS EFFECTIVE  
AUGUST 1, 2007

- 3.7 Local Contract Review Board:
- a. Award Contract for Pavement Maintenance under the FY 2007-08 Pavement Major Maintenance Program (PMMP) to Morse Brothers dba Knife River
  - b. Award Contract for Structural Plans Review Service to Miller Consulting Engineers, Inc.

Motion by Councilor Buehner, seconded by Councilor Woodruff, to approve the Consent Agenda.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

Newly appointed Library Board member Karen Levear was present (Item 3.4). Mayor Dirksen asked her to come forward and thanked her for her willingness to serve. He presented her with a City of Tigard logo-pin.

Councilor Woodruff, Councilor Sherwood, and Mayor Dirksen noted their appreciation to staff for reaching agreement on the SEIU contract (Agenda Item No. 3.5)

4. PRESENTATION OF AWARD TO "IF I WERE MAYOR" CONTEST WINNERS

Mayor Dirksen presented awards for the winning entries in Tigard's "If I Were Mayor" student contest:

Middle School Poster:	Christine Laughlin, 6 <sup>th</sup> grade – Twality Middle School
High School Essay	Alexander Carsh, 9 <sup>th</sup> grade – Tigard High School
High School Video	Brent Mangum, 12 <sup>th</sup> grade – Tigard High School

Copies of the winning entries are on file in the City Recorder's office. The above winners will now be entered into the statewide competition sponsored by the Oregon Mayor's Association.



5. PRESENTATION FROM ESSENTIAL HEALTH CLINIC

Executive Director Sheila Hale of the Essential Health Clinic presented information on services provided by her organization. Ms. Hale reviewed the mission statement, which is to improve the health of people in Washington County. A Tigard clinic opened last September. The clinic serves those individuals who are under-served or those who do not have health insurance. These are patients that have no place else to go (and do not need to go to an emergency room.) The clinic has three paid staff members and volunteer medical professionals. Councilor Sherwood applauded the health clinic for coming to the Tigard area noting there is the need for this service. She added that the Community Development Block Grant program supports this concept. Councilor Buehner expressed the hope that as a result of Ms. Hale's presentation tonight, the clinic will hear from more people who are willing to volunteer. More information can be found on the clinic's website: [essentialhealthclinic.org](http://essentialhealthclinic.org).

6. PROJECT OVERVIEW ON I-5 HIGHWAY/99W CONNECTOR

City Engineer Duenas introduced this agenda item noting the I-5 Highway/99W Connector is an important project for the City. The further south it connects, however, the less importance it has for the City. City Engineer Duenas introduced two project representatives:

1. Russ Knobel from Washington County who is the principal engineer and project lead for the County, and
2. Scott Richmond who is with David Evans and Associates Consultants

Mr. Knobel and Mr. Richmond reviewed a PowerPoint presentation. A copy is on file in the City Recorder's office. This is one of seven projects that has been determined by the Oregon Department of Transportation (ODOT) to be of statewide significance. Information included in the presentation included:

- The purpose of the project is to address inadequate transportation facilities in the outer southwest quadrant of the Portland metropolitan area.
- Need statements identifying what contributes to the need for a better connection.
- Charts on increasing housing and employment trends.
- Chart on increasing growth in area travel volumes.
- Definitions of local, regional and through trips.
- Anticipated condition of the project area by 2030.
- The two phases of the size and type of facility.
- Partners in project decision making.
- The project steering committee partners.
- Key milestones.
- Finding a solution.



- Selecting the best solution.
- Range of alternatives.
- Corridor concepts being considered.
- Confirming range of alternatives.
- Public participation information.

Councilor Buehner commented a similar presentation was made in 2000 or 2001 resulting in recommendations and work on this project. She asked if this work will be thrown away. Mr. Knobel responded that the County reviewed that earlier effort, which demonstrated the need for such a facility in this area and the need is for something greater than an arterial. This prompted the participants to step back to take a larger look. Councilor Buehner pointed out that in the interim years a lot of development has occurred; therefore, some of the options developed are no longer viable. She said development will continue to occur and this is a problem for Tigard. The farther south the connector is located, the less benefit it is for Tigard.

Councilor Wilson echoed Councilor Buehner's concerns and referred to his past experience in San Diego where right of way was acquired, and planning was done ahead of time, resulting in a "totally planned community." If the facility is built farther south then Councilor Wilson said this might be a project he might consider actively opposing because it will take funding away that would have been available to fix 99W in Tigard. Councilor Wilson noted Tigard just implemented a gas tax to do what it can for 99W because there has been no help forthcoming after all of these years. He questioned whether there was any funding for the project and wondered if it is a waste of time.

Councilor Woodruff noted that Tigard isn't even on the advisory group and said he wondered how involved Mr. Knobel wants Tigard to be; is Tigard just a spectator or is Tigard seen as an integral player. Mr. Knobel commented that the group was formed by including those jurisdictions who were either the primary partners or those that would have to take a land use action. Tigard was not included because the facility is to the south of the City. As this was developed, the advisory group realized the impact to the Tigard community, especially with a "no build" option. Mr. Knobel said a no-build alternative would add 26 percent traffic to 99W through Tigard. Any alternative, even further south, has the ability to take a good portion of traffic off of 99W but he conceded that it would not solve all of Tigard's problems on 99W. Councilor Wilson said he would like to see the modeling and said that 26 percent more traffic would not fit through Tigard.

Councilor Buehner noted that when the modeling was done when she served on the Transportation Committee, the southern proposed routes only provided a 5-10 percent reduction on 99W through Tigard. She said she wasn't sure this would be worth the incredible amount of money that would be involved. She agreed with Councilor Wilson's observation that this would cut off any further funding for transportation improvements to an area that has been ignored for far too long. Councilor Buehner

said it has been frustrating for her and for the Tigard citizens who have to “fight” 99W everyday. She said 99W is the most heavily traveled highway that isn’t a freeway.

Mayor Dirksen offered some history. When this was first proposed in the late 1980’s and 1990’s, the problem centered around politics. There was a group of people who believed that if we were to develop a better transportation system, then all it would do is encourage more development. The opposite being that if we didn’t build a better transportation system, it would dissuade people from moving here. That philosophy, in the interim, has been proved to be a failure because, in fact, the population has grown faster without the improvements to the transportation system that the models projected. Councilor Buehner agreed that the models prepared by Metro were inaccurate. Mayor Dirksen said the result is that we have been left with a failing transportation system and still needed to deal with the congestion and development that occurred anyway. Now, we’re doing it over again, but now we have fewer solutions and less satisfactory solutions. However, Mayor Dirksen said we are duty bound to move forward and study those to determine if there is a solution left that will work.

Councilor Buehner advised Mr. Knobel that she hoped when he goes back to his stakeholders that he would reiterate and critically evaluate what the impact will be if the facility is moved farther south in terms of what the impact will be on traffic in the City of Tigard. She said this will not happen unless everyone “buys into” this project. Councilor Buehner said this will also impact all of the people who live on the north side of Sherwood and the northern half of Tualatin who are now tangled up in a “traffic nightmare.” This has been going on for 20 years and there is a tremendous amount of frustration that those who haven’t been around for that long might not be aware of.

Mr. Richmond said more information will be available in August. He added that the City of Tigard’s participation is invited and, if that is not sufficient and Tigard wants more involvement, they would welcome that. Mr. Knobel noted the Chair of the Washington County Board, Tom Brian, has been around for many of the past discussions. This project is Washington County’s top priority so “we are really trying to do something this time.” In looking at the alternatives, one of the principal constraints set down by the decision-making body was to avoid densely developed areas. Councilor Buehner reiterated that her continuing concern is that the longer this takes, development will occur and the project will become less viable.

Councilor Sherwood said she agreed with what members of the Tigard City Council have said, but at the same time, she noted she saw the westside bypass “go away” so she urged participants to be positive and to be involved as much as possible. In order to get anything done she said it would be best not to “shoot the messengers” even though the alternatives might not be “to our liking.” The Mayor and Council agreed with Councilor Sherwood and Mayor Dirksen noted appreciation of the work being done.

City Engineer Duenas noted a letter of support was requested from the City and asked the Council to consider whether a letter should be forthcoming supporting the project with the qualifications as mentioned earlier this evening.

Mayor Dirksen called upon Mr. Roger Potthoff who had requested to make comments on this agenda item. Mr. Potthoff questioned why the City of Tigard was not represented on the Steering Committee for this project. He thinks there is a perception in the community that the City has opted out of the opportunity to be a member of the Steering Committee and the perception needs to be corrected. He noted the importance of Tigard being "at the table" and referred to his participation on the 99W Citizen Advisory Committee where committee members believed that the I-5 connector is critical so that the improvements contemplated on 99W will be effective. He suggested Tigard might want to consider making no improvements to 99W until the I-5 connector is resolved. He suggested that if the City makes improvements to 99W, this would alleviate the problem for people using 99W and would forestall the I-5 connector solution. He said it is important to send a message to other communities who have effectively obstructed solutions to the 99W problems for Tigard. He said a message should be sent to Tigard's neighbors that Tigard is no longer a "doormat" regarding corridor development. Mayor Dirksen said he assumed improvements would continue to be made on 99W after the decisions are made on the connector.

The Mayor noted appreciation for Mr. Potthoff's comments and the good points he made. There is diminishing support from the City of Tigard for the connector project as it moves farther south. City Engineer Duenas will be writing a letter to decision makers for this project stating Tigard's needs and concerns. Mayor Dirksen also noted that the City of Tigard has been invited to attend the Steering Committee meetings for this project; Tigard has been involved all along even though it does not have a chair at the table.

7. CONSIDER AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE (TMC) CHAPTER 7.52.100 (3) REGARDING ALCOHOLIC BEVERAGES IN PARKS

Public Works Director Koellermeier presented the staff report. A copy is on file in the City Recorder's office. The proposed ordinance would implement a "blanket" restriction on the consumption of alcoholic beverages in all city-owned parks within the urban renewal zone, thereby eliminating the need to update the Tigard Municipal Code each time a new park is created.

Mayor Dirksen asked if a future square (the community gathering place) would allow alcohol noting that there might be a desire to allow some events to serve alcohol. Public Works Director Koellermeier advised the ordinance was not crafted so that this would be allowed. Public Works Director Koellermeier noted that the Police

Department staff have used the first ordinance banning alcohol in some parks as a tool to “turn the corner” on some of the problems experienced in these parks. After discussion with staff, City Council members agreed to consider the ordinance as proposed but noted it might want to revisit the exception for special events in the future.

Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adopt Ordinance No. 07-14.

ORDINANCE NO. 07-14 – AN ORDINANCE AMENDING TIGARD MUNICIPAL CODE (TMC) 7.52.100(3) REGARDING ALCOHOLIC BEVERAGES IN PARKS

The motion was approved by a majority vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

8. AUTHORIZE AMENDMENTS TO INTERGOVERNMENTAL AGREEMENTS WITH DURHAM, KING CITY, AND THE TIGARD WATER DISTRICT, AND THE EXECUTION OF TENANTS IN COMMON AGREEMENTS AND BARGAIN AND SALE DEEDS FOR THE WATER BUILDING AND CANTERBURY PROPERTIES

Public Works Director Koellermeier presented the staff report. A copy is on file in the City Recorder's office.

The documents have been reviewed by the City Attorney and the Intergovernmental Water Board (IWB) determined the need to amend the documents referred to in the agenda title above. The City of Tigard, as an IWB member, must vote on these documents as outlined in the proposed resolution.

Motion by Councilor Sherwood, seconded by Councilor Buehner, to adopt Resolution No. 07-42.

RESOLUTION NO. 07-42 - A RESOLUTION AUTHORIZING THE CITY OF TIGARD'S REPRESENTATIVE TO THE INTERGOVERNMENTAL WATER BOARD TO VOTE ON AND APPROVE THE FIRST AMENDMENTS TO THE INTERGOVERNMENTAL AGREEMENT DATED 12/28/1993 FOR THE CITY OF KING CITY, AND 12/23/1993 FOR THE TIGARD WATER DISTRICT, AND APPROVE THE SECOND AMENDMENT TO THE CITY OF DURHAM

INTERGOVERNMENTAL AGREEMENT DATED 12/23/1993, TO EXECUTE THE TENANTS IN COMMON AGREEMENTS FOR THE WATER BUILDING PROPERTY AND THE CANTERBURY PROPERTY, AND TO EXECUTE THE BARGAIN AND SALE DEEDS FOR THE CANTERBURY PROPERTY AND WATER BUILDING PROPERTY FROM TIGARD WATER DISTRICT TO INTERGOVERNMENTAL WATER BOARD MEMBER JURISDICTIONS AS TENANTS IN COMMON.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

9. SELECT AN ELECTION DATE FOR THE CITY COUNCILOR POSITION AND REEVALUATE THE NOMINATION PETITION FILING DEADLINE

Councilor Wilson left the Council bench and did not participate in the discussion on this agenda item.

Mayor Dirksen reviewed the background on this item. A copy of the staff report is on file in the City Recorder's office.

City Attorney Ramis confirmed for the City Council that it would have the authority to substitute an appointment process rather than to hold an election if only one candidate files by the July 9 deadline.

Mayor Dirksen asked Mr. Potthoff, a candidate for this Council position, for his comments. Mr. Potthoff advised he was prompted to become a City Councilor candidate since he requested the City Council make this an open process to fill the seat vacated by Councilor Harding. He said if the Council decided to move the eligibility date for Council candidates to file for a November election, this would in no way offend him. He said the City would be better served with a competitive election as there are serious issues to discuss.

Mr. Potthoff added that if the Council decides to hold an election in November for the City Councilor election, he suggests the citizens of Tigard be asked to vote on the business tax increase. The voters might welcome the opportunity to vote. He said he questioned whether 100 percent of the increase should go to the Police Department. Mr. Potthoff acknowledged that the police budget is tight, but this department also fared well in gaining an increase in the recently adopted budget.

Council decided to wait until the July 10, 2007, meeting to consider the resolution calling for a special election to elect a Councilor. This would give the time needed to determine if there are any other candidates for the position.

Councilor Wilson returned to the Council bench to participate in the remainder of the meeting.

10. COUNCIL LIAISON REPORTS: None.

11. NON-AGENDA ITEMS

11.1 Consider 4<sup>th</sup> of July Funding Request FY 2006/07

City Manager Prosser reviewed this agenda item. A June 22, 2007, memorandum from Risk Manager Mills had been distributed to the Council that outlined the additional funding request to pay for insurance for this year's event. A copy of this memorandum is on file in the City Recorder's office.

Councilor Sherwood advised she used to serve on the committee that sponsors this event. She urged support for the request noting the event is free to everyone and well patrolled. Councilor Buehner said she thought it was a reasonable request. Councilor Woodruff agreed that while the request was reasonable, he did have some concern regarding setting a precedent should other event sponsors want this type of financial assistance as well. During discussion, Council members acknowledged that the issue with the insurance premium happened suddenly. Now, the 4<sup>th</sup> of July event is almost here and the City could assist with additional funding for the insurance premium this year. It does not mean, however, that this will be a cost the City would automatically cover every year. City Manager Prosser noted it became apparent that there would be the insurance premium expense after the call to committees to present their requests during the budget process. He acknowledged that this will be an issue the Council might need to deal with next year.

Motion by Councilor Buehner, seconded by Councilor Woodruff, to adopt Resolution No. 07-43.

A RESOLUTION APPROVING BUDGET AMENDMENT #16 TO THE FY 2006-07 BUDGET TO INCREASE APPROPRIATIONS IN THE SOCIAL SERVICES/COMMUNITY EVENTS BUDGET WITHIN THE COMMUNITY SERVICES PROGRAM FOR ONE-TIME ADDITIONAL FUNDS TO THE TIGARD 4<sup>TH</sup> OF JULY

The motion was approved by a unanimous vote of Council present.



Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

11.2 LOCAL CONTRACT REVIEW BOARD: Approve the Purchase of Five (5) Ford Crown Victoria Police Interceptors through State of Oregon Contract #3196

City Manager Prosser reviewed for the Local Contract Review Board the request to purchase five police vehicles. By ordering the vehicles prior to June 28, 2007, the City will avoid an additional markup of nearly \$1,000 per vehicle after that date. A copy of the staff report is on file in the City Recorder's office.

Motion by Board member Woodruff, seconded by Board member Buehner, to approve the purchase of the five Ford Crown Victoria Police Interceptors.

The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes

12. EXECUTIVE SESSION: Not held.

13. ADJOURNMENT

Motion by Councilor Woodruff, seconded by Councilor Sherwood, to adjourn the meeting at 9:22 p.m.


The motion was approved by a unanimous vote of Council present.

Mayor Dirksen	Yes
Councilor Buehner	Yes
Councilor Wilson	Yes
Councilor Sherwood	Yes
Councilor Woodruff	Yes



  
Catherine Wheatley, City Recorder

Attest:

  
\_\_\_\_\_  
Mayor, City of Tigard  
Date: 8.28.07

i:\adm\callh\ccm\2007\070626.doc